

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF WEST VIRGINIA

ANDRE VAUGHN WHITE, pro se,

Plaintiff,

v.

// CIVIL ACTION NO. 1:12CV84
CRIMINAL ACTION NO. 1:09CR52-1
(Judge Keeley)

UNITED STATES OF AMERICA,

Defendant.

ORDER ADOPTING REPORT AND RECOMMENDATION

The pro se plaintiff, Andre Vaughn White ("White"), has filed a motion under 28 U.S.C. § 2255 to vacate, set aside, or correct his sentence based on ineffective assistance of counsel. The Honorable John S. Kaull, United States Magistrate Judge, has entered a report and recommendation ("R&R"), concluding that White's claim of ineffective assistance lacks merit, and recommending that his motion be denied and dismissed with prejudice. White has not objected to the R&R. See Wright v. Collins, 766 F.2d 841, 845 (4th Cir. 1985) ("[A] party who fails to object to a magistrate's report is barred from appealing the judgment of a district court adopting the magistrate's findings.").

Because no objections have been filed, the Court has reviewed the R&R, and, finding no clear error, **ADOPTS** the R&R, **DENIES** White's § 2255 motion, **DISMISSES** his case **WITH PREJUDICE**, and **DIRECTS** the Clerk to enter a separate judgment order.

ORDER ADOPTING REPORT AND RECOMMENDATION

It is so **ORDERED**.

The Court directs the Clerk to transmit copies of this Order to counsel of record and to the pro se plaintiff, certified mail, return receipt requested.

DATED: March 30, 2015.

/s/ Irene M. Keeley
IRENE M. KEELEY
UNITED STATES DISTRICT JUDGE